

PLANNING COMMISSION REPORT



MEETING DATE: October 26, 2005

ITEM NO. _____

GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Circle K - 17-UP-2005

REQUEST

Request a conditional use permit for a gasoline service station on a 1.4 +/- acre parcel located at 10199 E Bell Road (Southwest corner of Bell Road and Thompson Peak Parkway) with Planned Community Center, Environmentally Sensitive Lands (PCC ESL) zoning.

Related Policies, References:

General Plan

OWNER

Circle K Inc.
602-728-4047

APPLICANT CONTACT

Ahmad Ghaderi
A & S Engineering
480-443-0661

LOCATION

10199 E. Bell Rd

BACKGROUND

Zoning.

The site is zoned PCC ESL (Planned Community Center, Environmentally Sensitive Lands). The PCC zoning district allows for a larger variety of uses compared to a neighborhood shopping center. These uses include business and professional services such as offices and animal hospitals; residences integrated with commercial development; retail sales; and services such as banks, hair/nail salons, and shoe repair shops. A gasoline service station is allowed under Conditional Use Permit approval.

The ESL zoning district is intended to protect environmentally sensitive lands through preservation of significant natural resources, protect property from hazardous conditions of the environment, and conserve the natural desert landscape. On this property the ESL zoning is satisfied through Natural Area Open Space preservation.

General Plan.

The General Plan Land Use Element designates the property as Commercial. This category includes uses that provide a variety of goods and services to the community. Specifically, these uses are commercial centers that provide goods and services frequently needed by the surrounding community. This site is a neighborhood commercial center.



Context.

Adjacent Uses or Zoning:

- North Unimproved, C-2 ESL (Central Business District, Environmentally Sensitive Lands)
- South Unimproved, PCC ESL (Planned Community Center, Environmentally Sensitive Lands); south of that is office and condominium development zoned SR, ESL (Service Residential, Environmentally Sensitive Lands)
- East R1-7, ESL (Single-family residential 7,000 square feet per lot, Environmentally Sensitive Lands)
- West Unimproved and parking for remainder of the commercial center within which this site is located, PCC ESL (Planned Community Center, Environmentally Sensitive Lands)

APPLICANT'S
PROPOSAL**Goal/Purpose of Request.**

The applicant's request is to allow development of the site for use as a gasoline service station. The proposed use consists of a retail store, canopy over 10 gasoline dispensers that provide gasoline for 2 vehicles at a time, air/water dispensers, refuse containers, parking, landscaping, and outdoors seating area. This facility does not include automobile repair services.

Key Issues.

Is this location appropriate for a gasoline service station?

Site Case History.

- 1992 74-ZN-1992 was approved and the site plan at that time showed a gasoline service station.
- 2000 Case 74-ZN-1992#8 was approved for site plan that showed a service station with 16 fuel pumps. In that case, the fuel pumps and retail store were oriented towards the north, with the fuel pumps between the retail store and Bell Road.
- 2000 Case 66-DR-2000 was approved and the site plan presented to the Development Review Board showed retail shops in place of the gasoline service station.

Conditional Use Permit History.

No previous applications have been considered for a gasoline service station Conditional Use Permit on this site.

Gasoline Service Stations Near This Site.

- Shell – southwest corner of Thompson Peak Parkway and McDowell Mountain Ranch Road (open for business).
- Auto spa – southwest corner of Bell Road and 94th Street (approved Conditional Use Permit, site not developed).

Proximity to Residential Development.

- The closest existing residence is approximately 290-feet from this site, on the east side of Thompson Peak Parkway that is a 4-lane street with a center-landscaped median.

Street Classifications.

- Thompson Peak Parkway is classified as a major arterial and Bell Road is classified as a minor arterial. These types of streets are acceptable

for gasoline service station sites.

Development Information.

- *Existing Use:* Unimproved
- *Buildings/Description:* Convenience Retail Store with Canopy Over 10 Fuel Pumps
- *Parcel Size:* 1.4 acres
- *Building Height Allowed:* 36 feet
- *Proposed Building Height:* 19 feet, 6 inches
- *Floor Area:* 2,500 square feet

IMPACT ANALYSIS**Traffic.**

Analysis of the trip generation demonstrates that the proposed Circle K would generate approximately 3,256 daily trips, with 139 trips generated during the a.m. peak hour and 193 trips generated during the p.m. peak hour.

Capacity calculations were completed for the signalized and non-signalized intersections near the site. In the morning and afternoon peak hours, the intersections are expected to operate at acceptable levels of service (LOS D or better for all movements).

The larger commercial center within which this site is located contains 6 public street access points. These are: 2 driveways onto 100th Street, 3 driveways onto Bell Road, and 1 driveway onto Thompson Peak Parkway. These driveways and adjacent roadway improvements exist. The Traffic Analysis studied the two closest driveways onto Bell Road and the driveway onto Thompson Peak Parkway. The Traffic Analysis and staff assessment found that these improvements are adequate for the amount of traffic anticipated with this proposed gasoline service station. There are no additional transportation improvements necessary for this development.

Water/Sewer.

Water and sewer lines exist adjacent to this site and no capacity or service concerns have been identified.

Open space, scenic corridors.

The General Plan designates Thompson Peak Parkway as a Buffered Setback. This setback was established with the overall commercial center as a 50-foot wide Natural Area Open Space buffer.

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration

shall include, but not be limited to, the following factors:

1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - **Of these concerns, noise and lighting may arise. The existing site grade is a minimum of 10-feet below the highest adjacent street curb. Thus much of the site will be buffered to the north and east by grade. In addition, the 50-foot buffer of landscaping is provided on these sides of the property. The site design offers little buffering to the west and south. However, the overall commercial center is planned with buildings along its south boundary and those future buildings would provide a buffer between the gasoline service station and the residences located to the southwest.**

The lighting plan shows light levels of 0 foot candles along the north, east, and west property lines. Light levels range from 0.1 foot candles to 0.6 foot candles along the south property line but drop to 0 foot candles on the commercial center property approximately 24-feet from the gasoline service station's south property line. The light levels below the service canopy are high, but are stipulated to be of an acceptable level for gasoline service stations.

2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **The Traffic Impact Mitigation Analysis demonstrates that there will not be an unusual volume or character of traffic generated by this use.**
3. There are no other factors associated with this project that will be materially detrimental to the public.
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - **Gasoline service stations are commonly located at the perimeter of commercial shopping centers and along arterial streets. The residential uses are located across the street and to the southwest, but the closest residence is approximately 290 feet from the subject property.**
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

Additional Conditions for Service Stations.

1. The application shall include a detailed landscape plans showing plant, type, size and spacing. All landscape plans shall include an automated watering system and planting areas shall constitute a minimum of five (5) percent of the lot area and may be required to include as much as twenty (20) percent of the site, depending upon site size. Lack of care and maintenance of the landscape areas shall be considered due cause for revocation of the use permit. All trees planted shall have a minimum caliper of two (2) inches and all shrubs shall be at least five-gallon size. **The applicant has submitted a landscape plan, the tree size will comply with the Zoning Ordinance 2-inch caliper size and the overall landscape plan will be reviewed at the**

time of Development Review Board consideration.

2. All structures approved under this use permit shall be of a unique design character that is appropriate to the area in which they are to be constructed. Renderings of building shall accompany each application and construction shall be in reasonable conformity thereto. All canopies shall be connected to the roof of the main structure unless otherwise approved. **The building character is consistent with the remainder of the commercial center architectural theme. The arched roof and center opening in the front of the building are examples of this architectural theme.**

3. No driveway shall extend into the curb radius. **The site plan conforms to this requirement.**

4. All source of artificial light shall be concealed and shall be attached to the main structure, unless otherwise specifically approved. All lighting shall be so designed as to permit no glare. **The lighting plan will conform to these requirements.**

5. The minimum area of a lot considered adequate to accommodate this use, exclusive of street dedication, shall be twenty-two thousand five hundred (22,500) square feet. **The net (excluding right-of-way dedication) site area is 68,127 square feet.**

6. A solid masonry wall or planting screen shall be required between all service station sites and residentially zoned property. (Height shall be as determined in each case.) **The improvements for the gasoline service station are situated below the adjacent street grade. A wall would not provide an effective screen. The 50-foot Natural Area Open Space will provide a natural planting screen to adjacent residential properties to the east. The nearest residence to the south is approximately 400 feet from this site, and future commercial development is planned between that residential area and the gasoline service station.**

7. Each site plan for a service station shall show three (3) types of areas as follows:

- a. Building area.
- b. Service area, which shall be screened from view by a masonry wall and within which all automotive repair and service shall take place. Entry to indoor service areas shall be from the rear of the station except in cases where it may be approved otherwise by the City Council. **This proposal does not include automotive repair and service activities.**
- c. Sales area.

8. None of the above criteria shall prohibit the City Council from considering an application to reconstruct or remodel an existing service station.

Community Involvement.

The applicant has completed the Community Involvement activity by the following methods:

- Door to door outreach to residents on Indigo Drive, Verbena Lane,

Jasmine Drive, Acacia Drive, 103rd Place and 104th Place in McDowell Mountain Ranch Parcel P subdivision and the north 2/3 of Cachet at McDowell Mountain Ranch Phase 2 Condos.

- Neighborhood meetings.
 - July 9, 2005 with Cachet at McDowell Mountain Ranch Phase 1 and 2 Condos property owners.
 - July 20, 2005 with McDowell Mountain Ranch Parcel P property owners and Home Owners Association, and Cachet Home Owners Association.
- Posting of the site with a “Project Under Consideration” sign

At the neighborhood meeting the project was reviewed but met with little support. Several comments were made and details are included in the attached Citizen Involvement Report, these included:

- Limiting hours of operation
- Security and safety of site
- Height of building
- Level of lighting
- Sound/noise impacts
- Alcohol sales
- Propane sales
- Market viability of this site/store, the site’s relationship to other stores and proximity to the 101 freeway
- Possibility to move this use to an alternative site
- Delivery operations and frequency
- Capacity of streets to handle tanker trucks
- Odor, pollution, and chemicals
- Impact of development on wildlife
- CircleK community outreach and involvement (Civic Duty)

Staff has heard from residents in e-mails reflecting the above input. Of these there are 2 letters in support and 9 opposed.

STAFF
RECOMMENDATION

Recommended Approach:
Staff recommends approval, subject to the attached stipulations.

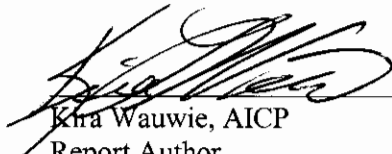
RESPONSIBLE
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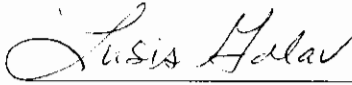
Planning and Development Services Department
Current Planning Services

STAFF CONTACT(S)

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480-312-7061
E-mail: kwauwie@ScottsdaleAZ.gov

APPROVED BY


Kira Wauwie, AICP
Report Author


Lusia Galav, AICP
Current Planning Director

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Additional Information
7. Traffic Impact Summary
8. Citizen Involvement
9. City Notification Map
10. Site Plan

NARRATIVE STATEMENT

**Circle K
McDowell Mountain Marketplace
Bell Road and Thompson Peak Parkway
Scottsdale, Arizona**

Circle K anticipates developing the approximately 2.4 gross acre site (1.4 gross acre pad) located directly at the corner of Bell Road and Thompson Peak Parkway within the McDowell Mountain Marketplace. This Narrative Statement is being presented to provide you with information and the plans for the Circle K neighborhood automobile convenience center. Circle K representatives are excited about bringing this new project and services to the McDowell Mountain Marketplace center.

THE SITE

The property being planned totals approximately 2.4 gross acres located directly at the southwest corner of Bell Road and Thompson Peak Parkway. The site itself is already zoned PCC ESL, Planned Community Center (Environmentally Sensitive Lands), by the City of Scottsdale. The property is surrounded by the "PCC"-zoned shopping center to the south and west. The Bashas' grocery store has been constructed and is in operation.. The shopping center property to the south of the Circle K site is owned by Osco Drug for a future pharmacy. The property further to the south of the shopping center is zoned S-5 ESL and is developed with town-homes by Cachet Homes. Across Thompson Peak Parkway to the east is property which is zoned R1-7 ESL and which is developed with single-family homes. To the north across Bell Road is undeveloped land that is owned by the State of Arizona, zoned C-2 ESL and C-O ESL. Bell Road is presently improved with four traffic lanes plus a turning lane. Thompson Peak Parkway is improved with four traffic lanes plus a turning lane up to the boundary of the State Land. There are plans to extend Thompson Peak Parkway to the north to connect with existing improvements within DC Ranch south of the Copper Ridge Middle School.

May 25, 2005 (4:27pm)
Circle K Food Mart.nar
SWC Bell Road & Thompson Peak Parkway

ACCESS AND TRAFFIC

Full-turning access to the shopping center (with a median break) is located at the southern property line from Thompson Peak Parkway and approximately 660 feet west of Thompson Peak Parkway on Bell Road. An additional right turn only driveway to the shopping center will be located on Bell Road approximately 360 feet west of Thompson Peak Parkway. There is an existing traffic signal at Bell Road and Thompson Peak Parkway. Traffic counts on Bell Road west of Thompson Peak Parkway are projected to be 12,000 average daily trips in 2005. Traffic counts on Thompson Peak Parkway south of Bell Road are projected to be 16,000 average daily trips in 2005 and 38,000 average daily trips in 2020. Traffic counts on Thompson Peak Parkway north of Bell Road are projected to be 14,000 average daily trips in 2005 and 27,000 average daily trips in 2020. The later traffic counts take into account the completion of Thompson Peak Parkway through the State Land.

THE PROJECT

The McDowell Mountain Marketplace was built in 2001. It includes a Bashas' grocery store and other shops and will include a future Osco Drug store with assorted retail shops. This proposed use is an automobile convenience center consisting of gasoline dispensers for sale of gasoline for passenger vehicles (including automobile diesel fuel), and a sales building for convenience products. The neighborhood automobile convenience center concept is designed to provide nearby residents with an opportunity to take care of their "going home errands" at a single stop.

The Circle K Food Mart will consist of approximately 2,500 square feet, with convenient parking for both store and gasoline customers. While only 20 parking spaces are required under the Scottsdale Ordinance, 28 spaces are provided on site. The maximum building height will be limited to 19 feet 6 inches. The retail building will provide convenience foods and a limited selection of grocery items such as milk, bread and water. This Circle K facility will be a "company-owned" store, operated according to the highest standards of cleanliness and safety. Circle K policies for its convenience food

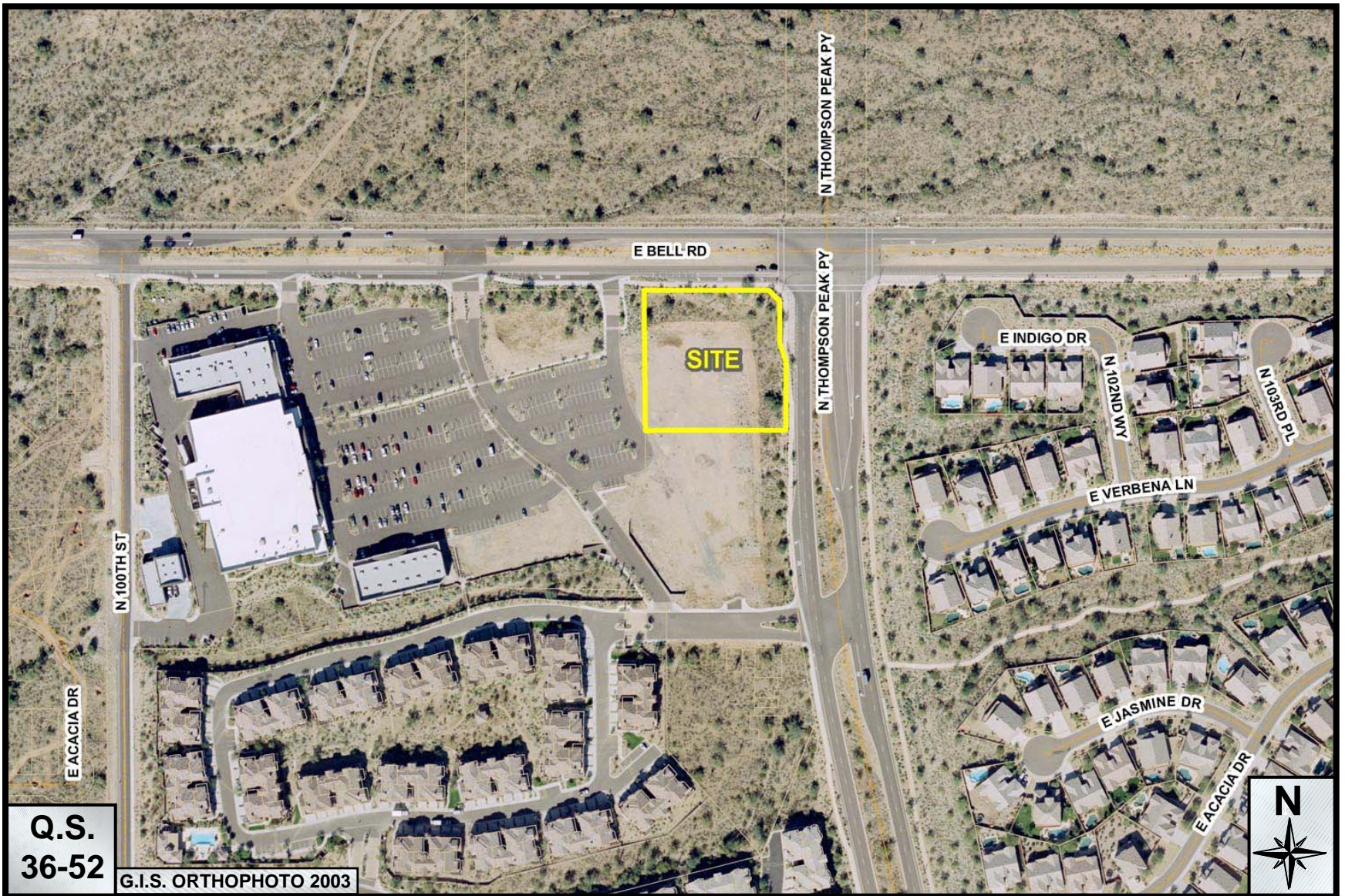
mart prohibit on-premises consumption of alcohol, and no video games or entertainment are provided. An application for alcoholic beverage sales (for consumption off-premises) will be submitted. The floor plan and interior layout of the store allows the Circle K staff an unobstructed view of the fuel dispensers and allows the public and law enforcement a clear view into the retail building. Circle K will provide a clean and friendly environment for its customers.

There will be 10 multi-product fueling dispensers. A canopy provides customers screening from sun and rain. Circle K will offer "pay-at-the-pump" convenience to its customers. The site layout and circulation, including the turning radius between dispenser islands, are designed specifically for passenger automobiles. There will be no repair or servicing of vehicles on site. Using the most modern technology of double wall fiberglass fuel storage and continuous electronic monitoring of tanks and piping, the fuel storage system is the highest standard for environmental safety. Monitoring of the underground storage tanks takes place both in the store and off-site at a central dispatch station. Circle K has a reputation for exceeding state regulations for environmental safety.

The Circle K Food Mart will be located at the immediate southwest corner of Bell Road and Thompson Peak Parkway. It is located below-grade from the right-of-way and is separated and screened from residential development by the 140 foot right-of-way in Thompson Peak Parkway, as well as expansive landscape areas located both on-site around the Circle K facility and off-site adjacent to the existing single family residential development. Careful attention has been given to site planning to provide attractive architectural character to the buildings and perimeter wall, and a park-like corner to the street intersection. The color, design and materials used in the Circle K Food Mart will be consistent with those used for the McDowell Mountain Marketplace Shopping Center. Attached for your consideration is a copy of the proposed site plan, the shopping center plan and the elevations.

PROCESSING

As noted earlier, the site was zoned for commercial development as a part of the original McDowell Mountain Ranch master plan. It is currently a shopping center. The original site plan that was approved with the PCC-zoning in 1992 provided for a gasoline station and convenience market on this site. The proposed use, a neighborhood automobile convenience center, is permitted in the PCC ESL District with a use permit. This use permit application is to allow a convenience store and gas station within the PCC ESL-zoned property. We believe that use is consistent with the plan for the property since it was rezoned in 1992. It keeps commercial uses in a location within McDowell Mountain Ranch where they were intended and planned. It will serve the needs of the McDowell Mountain Ranch community and offer choices in products and services in close proximity to the residents. The site layout and building design complement the planned commercial uses. The high standards for operations imposed by Circle K will provide the residents that the use will be consistent with the quality businesses they want in their neighborhood.

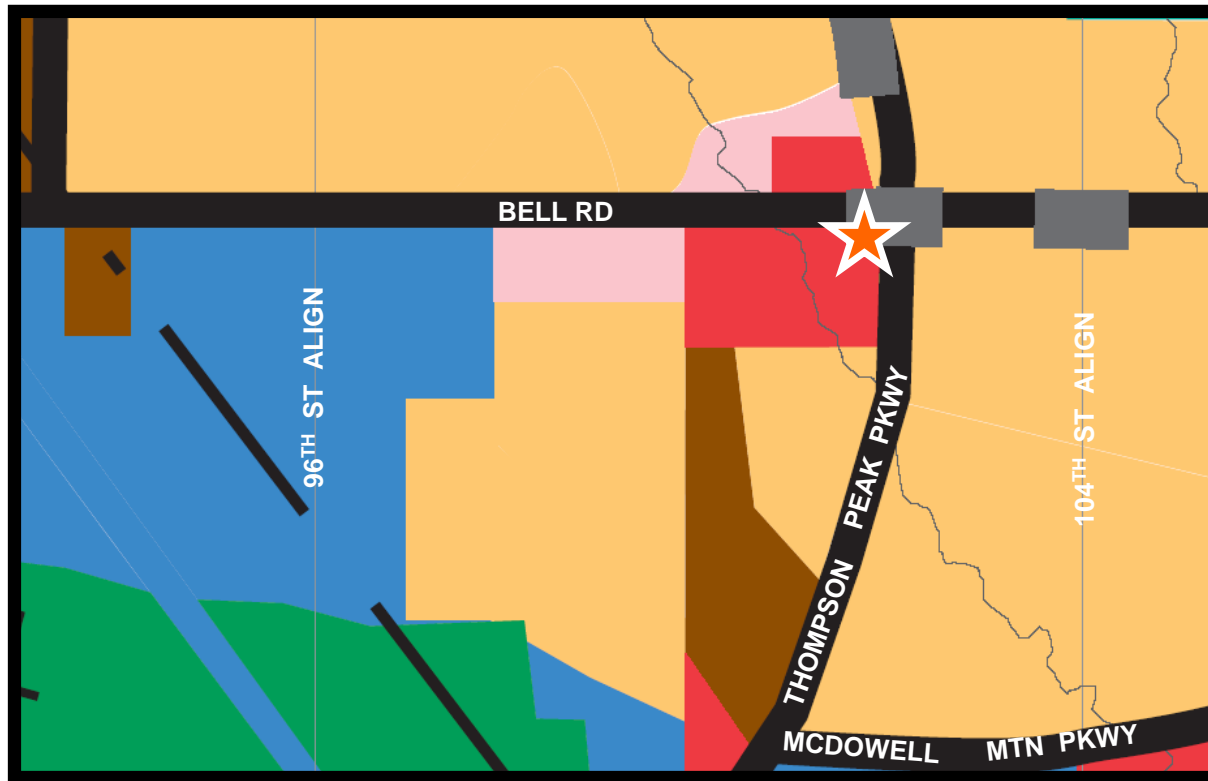


Circle K

17-UP-2005

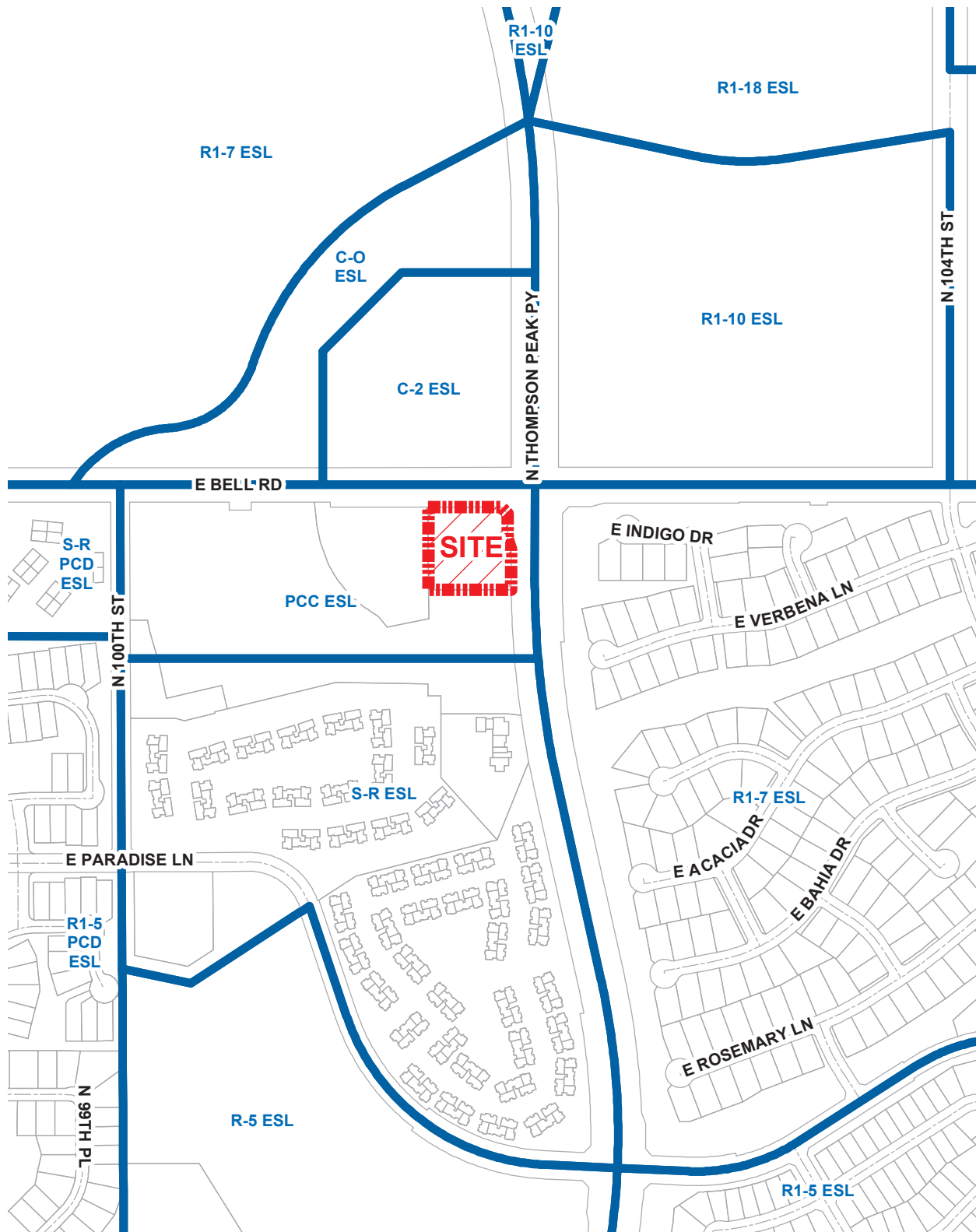
ATTACHMENT #2A

General Plan



17-UP-2005
ATTACHMENT #3

Adopted by City Council October 30, 2001
Ratified by Scottsdale voters March 12, 2002
revised to show McDowell Sonoran Preserve as of May 2004
revised to reflect General Plan amendments through June 2004



17-UP-2005

ATTACHMENT #4



STIPULATIONS FOR CASE 17-UP-2005

PLANNING/ DEVELOPMENT

1. CONFORMANCE TO DEVELOPMENT SUBMITTAL. All site development shall conform to the site plan submitted by A & S Engineering INC. and dated 9-14-05 by city staff. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. ARCHITECTURE. Building and structure architecture shall be consistent with the remainder of the existing shopping center, to the satisfaction of the Development Review Board.
3. EXTERIOR VENDING. All display items shall be contained within the main building or within designated areas that are screened from public view.
4. LANDSCAPE. The plant palette shall be consistent with the plant palette used throughout the existing shopping center. All plant material shall be from the ESLO indigenous plant list and the ADWR "Phoenix" drought tolerant plant list.
5. PEDESTRIAN ACCESS. With the Development Review Board submittal, the developer shall submit a plan providing pedestrian access to the commercial areas on and adjacent to the site.
6. OUTDOOR LIGHTING. All outdoor lighting shall meet all IESNA requirements for full cutoff, and shall be aimed downward and away from the property line, except for sign lighting.
7. OUTDOOR LIGHTING - HEIGHT. The maximum height of any outdoor lighting source shall be 20 feet above natural grade at the base of the light standard except for canopy lighting to match the existing shopping center.
8. OUTDOOR LIGHTING. With the Development Review Board submittal, the developer shall incorporate into the project's design, the following:

Parking Lot and Site Lighting:

1. The maintained maximum horizontal illuminance level, at grade on the site, shall not exceed 2.5 foot-candles, and shall not exceed 0 foot-candles at the north and east sides of the site. All outdoor lighting (luminaries) shall be included in this calculation.

All Canopy:

2. The maintained average horizontal illuminance level, at grade under the canopy, shall not exceed twenty (20) foot-candles and comply with the City of Scottsdale Gas Station and Convenience Store Design Guidelines
3. Light fixtures under canopy shall be completely recessed into the canopy with flat lenses that are translucent and completely flush with the bottom surface of the canopy.
4. Bottom of canopy fascia shall be no less than eight inches below the bottom of fixture lenses.
5. Lights shall not be mounted on the top or sides of the canopy.
6. The sides or fascias of the canopy shall not be illuminated.

Building Mounted Lighting:

7. All lights (luminaries) shall be recessed or shielded so the light source is not directly visible from property line.

Landscape Lighting:

8. No landscape lighting is permitted.

ENVIRONMENTAL DESIGN

1. NATURAL AREA OPEN SPACE-STAKING. Before issuance of any building permit for the site, the developer shall survey all NAOS boundaries and stake all boundaries between NAOS areas and development, in conformance with the approved grading plan. Such surveying and staking shall be subject to inspection and approval prior to construction in each development phase.
2. NATURAL AREA OPEN SPACE-PROTECTION DURING CONSTRUCTION. Before any construction on a lot, the developer shall protect the NAOS on and adjacent to the lot to the satisfaction of city staff, so that access to the construction is within the construction envelope or designated driveway.
3. MAINTENANCE AND PRESERVATION-RECORDED AGREEMENT. Before any building permit for the site is issued, the developer shall record an agreement, satisfactory to city staff, detailing the maintenance and preservation by the developer and its successors of all common areas, landscape buffers, natural areas, drainage easements and private access ways on the site and abutting rights-of-way. These designated areas shall not be accepted for maintenance or be accepted for ownership by the city without the approval of the City Council.

CIRCULATION

1. ACCESS RESTRICTIONS. Existing driveways constructed by McDowell Mountain Village Center Project provide access to the site. No additional driveway is allowed.
2. PEDESTRIAN ACCESS. At the time of site development, the developer shall provide a pedestrian connection from the corner of Bell Road and Thompson Peak Parkway to the store entrance.
3. EASEMENT REQUIREMENTS. Before any final plan approval, the developer shall provide a cross access agreement with adjacent properties in a form acceptable to city staff.

DRAINAGE AND FLOOD CONTROL

1. CONCEPTUAL DRAINAGE REPORT. With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval. The conceptual report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:
 - a. Demonstrate consistency with the approved master drainage plan and reports (Master Drainage Report for McDowell Mountain Ranch Parcels A through R, prepared by Clouse Engineering on November 1993 and Master Drainage Report for McDowell Mountain Village Center SWC Bell Road and Thompson Peak Parkway, prepared by DEA, Inc., dated June 2000, accepted by the Community Development Division on August 7, 2000).
 - (1). Any design that modifies the approved master drainage report requires from the developer a site-specific addendum to the final drainage report and plan, subject to review and approval by the city staff.
 - (2). Addendum generated by the final drainage analysis for this site shall be added to the appendix of the final drainage report.
 - b. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of ALL washes, which exit the property.

- c. Determine easement dimensions necessary to accommodate design discharges.
 - d. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 - e. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
 - f. Include a complete description of requirements relating to project phasing.
2. FINAL DRAINAGE REPORT. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a final drainage report and plan subject to city staff approval. The final drainage report and plan shall conform to the Design Standards and Policies Manual – Drainage Report and Preparation. In addition, the final drainage report and plan shall:
 - a. Demonstrate consistency with the approved master drainage plan and reports (Master Drainage Report for McDowell Mountain Ranch Parcels A through R, prepared by Clouse Engineering on November 1993 and Master Drainage Report for McDowell Mountain Village Center SWC Bell Road and Thompson Peak Parkway, prepared by DEA, Inc., dated June 2000, accepted by the Community Development Division on August 7, 2000).
 - (1). Any design that modifies the approved master drainage report requires from the developer a site-specific addendum to the final drainage report and plan, subject to review and approval by the city staff.
 - (2). Addendum generated by the final drainage analysis for this site shall be added to the appendix of the final drainage report.
 - b. Provide final calculations and detailed analysis that demonstrate consistency with the accepted conceptual drainage plan and report.
3. STORMWATER STORAGE REQUIREMENT. This site qualifies for a Storm Water Storage Waiver (SSW) because storm water storage has been provided in a regional basin. Before Development Review Board submittal, the developer shall submit a Request for Waiver Review form with a copy of Drainage Report to One Stop Shop for review and approval.
4. DRAINAGE EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all drainage easements necessary to serve the site.

VERIFICATION OF COMPLIANCE

1. CONDITION FOR ISSUANCE OF GRADING & DRAINAGE PERMIT. Before the issuance of a Grading & Drainage Permit:
 - a. The developer shall certify to the Project Quality/Compliance Division, that it has retained an Inspecting Engineer by completing Part I (Project Information) and Part II (Owner's Notification of Special Inspection) of the Certificate of Special Inspection of Drainage Facilities (CSIDF); and,
 - b. The Inspecting Engineer shall seal, sign and date Part III (Certificate of Responsibility) of the CSIDF.
2. CONDITION FOR ISSUANCE OF CERTIFICATE OF OCCUPANCY AND/OR LETTER OF ACCEPTANCE. Before the issuance of a Certificate of Occupancy and/or a Letter of Acceptance:
 - a. The Inspecting Engineer shall seal, sign and date the Certificate of Compliance form.

- b. The developer shall submit all required Special Inspection Checklists and the completed Certificate of Compliance form to the Inspection Services Division. The Certificate of Compliance form shall be sealed, signed and dated by the Inspecting Engineer, and shall be attached to all required Special Inspection Checklists completed by the Inspecting Engineer.
3. AS-BUILT PLANS. City staff may at any time request the developer to submit As-built plans to the Inspection Services Division. As-built plans shall be certified in writing by a registered professional civil engineer, using as-built data from a registered land surveyor. As-built plans for drainage facilities and structures shall include, but are not limited to, streets, lot grading, storm drain pipe, valley gutters, curb and gutter, flood walls, culverts, inlet and outlet structures, dams, berms, lined and unlined open channels, storm water storage basins and underground storm water storage tanks, bridges as determined by city staff.

WATER and WASTEWATER

1. Water and wastewater design for the proposed development shall be in conformance with the approved master water and wastewater plans for the overall site, McDowell Mountain Village Center.

OTHER REQUIREMENTS

1. ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIREMENTS. All construction activities that disturb one or more acres shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. [NOI forms are available in the City of Scottsdale One Stop Shop, 7447 East Indian School Road, Suite 100. Contact Region 9 of the U.S. Environmental Protection Agency at 415-744-1500, and the Arizona Department of Environmental Quality at 602-207-4574 or at web site <http://www.epa.gov/region9>.]

The developer shall:

- a. Submit a completed Notice of Intent (NOI) to the EPA.
 - b. Submit a completed Storm Water Pollution Prevention Plan (SWPPP) with the improvement plan submittal to the Development Quality/Compliance Division.
2. NOTICE OF INTENT (NOI). With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a copy of the NOI.
3. SECTION 404 PERMITS. With the improvement plan submittal to the Project Quality/Compliance Division, the developer' engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]
4. DUST CONTROL PERMITS. Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving equipment permit) from Maricopa County Division of Air Pollution Control. Call the county 602-507-6727 for fees and application information.
5. UTILITY CONFLICT COORDINATION. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a signed No Conflict form (not required for city owned utilities) from every affected utility company.

6. ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ). The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and Engineering Bulletin #11 Minimum Requirements for Design, Submission of Plans, and Specifications of Sewerage Works, published by the ADEQ. In addition:
- a. Before approval of final improvement plans by the Project Quality/Compliance Division, the developer shall submit a cover sheet for the final improvement plans with a completed signature and date of approval from the Maricopa County Environmental Services Department (MCESD).
 - b. Before issuance of encroachment permits by city staff, the developer shall provide evidence to city staff that a Certificate of Approval to Construct Water and/or Wastewater Systems has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - c. Before commencing construction, the developer shall submit evidence to city staff that Notification of Starting Construction has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - d. Before acceptance of improvements by the city Inspection Services Division, the developer shall submit a Certificate of Approval of Construction signed by the MCESD and a copy of the As-Built drawings.
 - e. Before issuance of Letters of Acceptance by the city Inspection Services Division, the developer shall:
 - (1). Provide to the MCESD, As-Built drawings for the water and/or sanitary sewer lines and all related facilities, subject to approval by the MCESD staff, and to city staff, a copy of the approved As-Built drawings and/or a Certification of As-Built, as issued by the MCESD.
 - (2). Provide to the MCESD a copy of the Engineers Certificate of Completion with all test results, analysis results, and calculations, as indicated on the form.
 - (3). Provide to the MCESD a copy of the Request for Certificate of Approval of Construction of water and/or sanitary sewer lines with all appropriate quantities.
 - (4). Provide the city Inspection Services Division a copy of the Certificate of Approval of Construction, as issued by the MCESD.

ADDITIONAL INFORMATION FOR CASE 17-UP-2005

PLANNING/DEVELOPMENT

1. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
 - a. wall design,
 - b. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - c. improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
2. NATIVE PLANT PRESERVATION. The owner shall secure a native plant permit as defined in the Scottsdale Revised Code for each parcel. City staff will work with the owner to designate the extent of the survey required within large areas of proposed undisturbed open space. Where excess plant material is anticipated, those plants shall be offered to the public at no cost to the owner in accordance with state law and permit procedure or may be offered for sale.

ENGINEERING

1. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
2. FEES. The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
3. STREET CONSTRUCTION STANDARDS. The streets for the site shall be designed and constructed to the standards in the Design Standards and Policies Manual.
4. CITY CONTROL OF ACCESS. The city retains the right to modify or void access within city right-of-way. The city's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

TRAFFIC IMPACT ANALYSIS SUMMARY

Circle K at Bell Rd & Thompson Peak Parkway

Summary Prepared by Jennifer Bohac, COS Traffic Engineering
Traffic Impact Study Prepared by Kenneth Howell, TASK Engineering

Existing Conditions:

The site is located on the southwest corner of Bell Road and Thompson Peak Parkway.

Bell Rd is classified as a minor arterial west of Thompson Peak Parkway and as a major collector east of Thompson Peak Parkway. It currently has one through lane with median separation in the vicinity of the site. The posted speed limit on Bell Rd in the vicinity of the site is 45 mph.

Thompson Peak Parkway is classified as a major arterial south of Bell Road and a minor arterial north of Bell Rd. Thompson Peak Parkway terminates at Bell Road, although it is planned to be extended with the development of the Toll Brothers development on the northwest corner of Bell Road. South of Bell Road it is currently constructed with two lanes in each direction and a raised landscaped center median. The posted speed limit on Thompson Peak Parkway in the vicinity of the site is 45 mph. The intersection of Thompson Peak Parkway and Bell Road is signalized.

In the immediate vicinity of the site, there are several existing developments.

- To the north is currently undeveloped land zoned for commercial development;
- To the east are residential lots;
- To the west is an office complex;
- To the south is a gated condominium community and office buildings.

There are also plans for two future commercial buildings within the same plaza that the proposed Circle K would be in on the southwest corner of the intersection.

Proposed Development:

A traffic impact study was prepared by TASK Engineering to estimate the amount of traffic that will be generated by the Circle K and effects they will have on the surrounding roadway network.

The proposed development is a gas station/convenience store that lies on approximately 2.4 acres of land. It is planned to consist of a 2,500 SF convenience store and 10 gas pumps capable of serving two vehicles simultaneously. The development will use three existing access driveways, two onto Bell Rd and one additional access from a small collector road that connects to Thompson Peak Parkway.

Access A and Access B both connect to Bell Rd. Access A has full access with a median break on Bell Rd, whereas Access B does not have a median break and is restricted to right-in, right-out only. Access C, which connects to Thompson Peak Parkway, currently has a median break, however, left turns are prohibited.

Trip generation numbers for the project are presented in the following table.

TRIP GENERATION TABLE

Land Use	Quantity	Units	Daily Total	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
945	20	Vehicle fueling stations	3,256	101	101	202	134	134	268
Pass by Trips			-	-	-	-63	-	-	-75
Total			3,256	70	69	139	97	96	193

This trip generation is based on data contained in the Institute of Transportation Engineer's *Trip Generation*. The trip generation calculations indicate when the project opens, it would generate approximately 3,256 daily trips, with 139 trips generated during the a.m. peak hour and 193 trips generated during the p.m. peak hour.

Future Conditions:

Capacity calculations were performed for both Year 2007 and the 2012 scenarios for the signalized intersection of Bell Road/Thompson Peak Parkway to evaluate the Level of Service (LOS) at the intersection. Capacity calculations were also performed at the three unsignalized intersections of Bell Road/Access A, Bell Road/Access B, and Access C/Thompson Peak Parkway.

Capacity calculations for the signalized intersection were evaluated for the intersection overall. At the unsignalized intersections, the level of service was evaluated for each movement; the LOS shown is the LOS for the worse movement. The worse movement is often the exiting left-turn movement onto a roadway with relatively high through volume.

The results of the capacity calculations are presented in the table below.

LEVEL OF SERVICE TABLE

Intersection	Type	2007		2012	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Bell Rd/ Thompson Peak Pkwy	Signalized	B	B	B	B
Bell Rd/ Access A	Unsignalized	B	C	C	C
Bell Rd/ Access B	Unsignalized	A	B	B	B
Thompson Peak Pkwy/ Access C	Unsignalized	B	A	B	B

The table above demonstrates that in both the AM and PM Peak hours, the level of service for the signalized and unsignalized intersections in the vicinity of the site will be at acceptable levels, LOS D or better, with the proposed convenience store/gas station.

There are no additional site improvements necessary for this development.

Additional Information:

A Northeast Pima Freeway Corridor Roadway Network Alternatives Analysis was prepared by Kirkham Michael Consulting Engineers for the City of Scottsdale in July 2003. This report recommends an alternative east-west arterial north of Bell Road. This arterial, Center Drive, would carry any traffic increase in the future that would otherwise be on Bell Road. Therefore volumes on Bell Road are projected to remain constant or even decrease in the future with Center Drive being constructed. The access driveways on Bell Rd would continue to operate at good levels of service in the future.

Summary:

Analysis of the trip generation demonstrates that the proposed Circle K in the anticipated opening year would generate approximately 3,256 daily trips, with 139 trips generated during the a.m. peak hour and 193 trips generated during the p.m. peak hour.

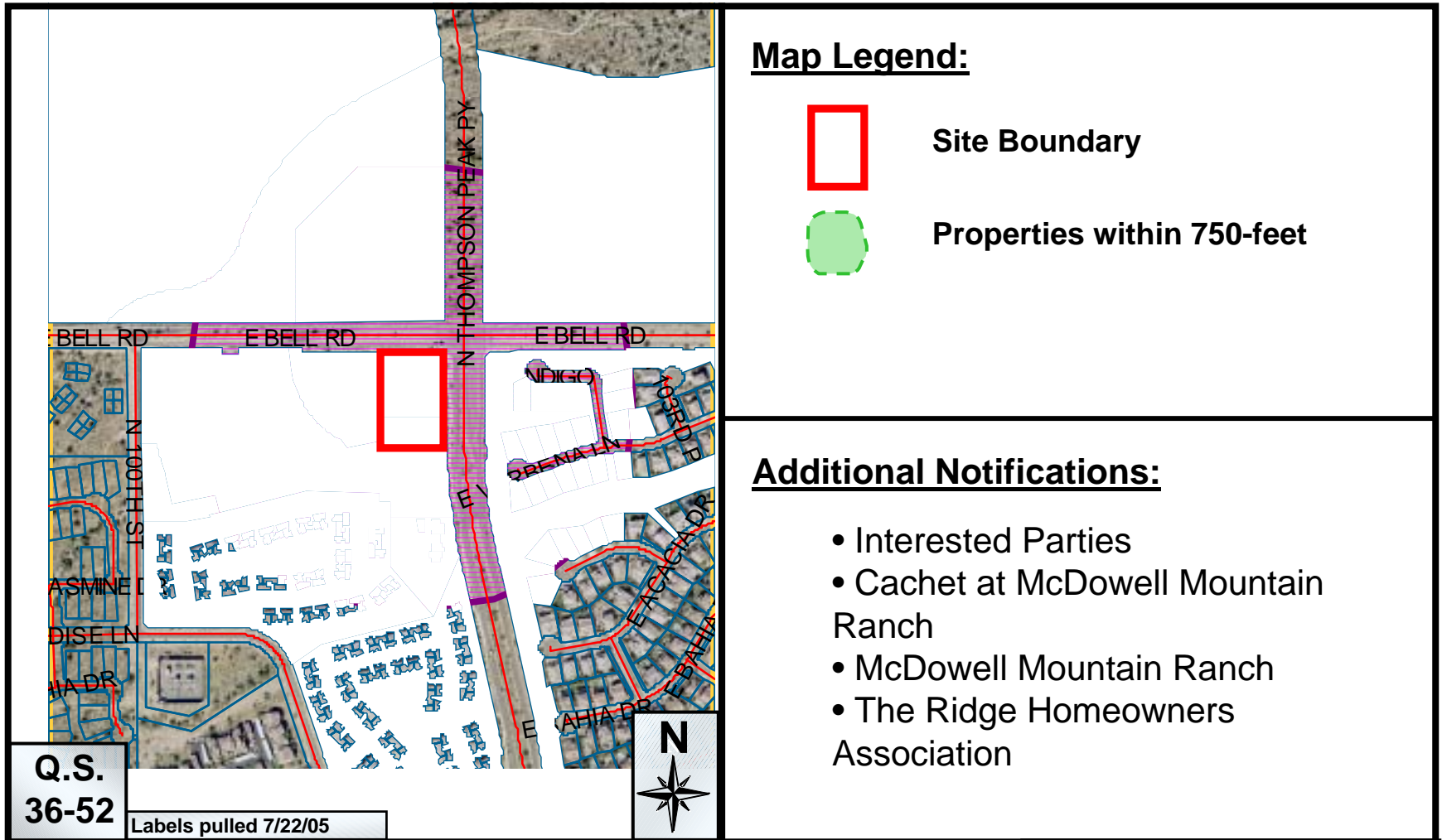
Capacity calculations were completed for the signalized and unsignalized intersections in the vicinity of the site. In the AM and PM Peak hours, the intersections are expected to operate at acceptable levels of service (LOS D or better for all movements).

There are no additional site improvements necessary for this development.

Circle K (17-UP-2005)
Attachment #8 Citizen Involvement

The above attachment is on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.

City Notifications – Mailing List Selection Map



Circle K

17-UP-2005

ATTACHMENT #9

